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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-34, 326]

#### Rubbermaid-Cortland, Inc., Cortland, New York; Notice of Negative Determination on Reconsideration

On August 25, 1998, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The notice was published in the **Federal Register** on September 4, 1998 (63 FR 47327).

The Department initially denied TAA to workers of Rubbermaid-Cortland because the "contributed importantly" group eligibility requirement of section 222(3) of the Trade Act of 1974, as amended, was not met. Production and sales at the Cortland, New York plant increased during the relevant time period. Furthermore, in early 1998, the production of molded plastic household products was shifted from Cortland to other domestic Rubbermaid production facilities. The workers at the subject firm were engaged in employment related to the production of molded plastic household products.

The petitioners asserted that the subject firm shifted production of toolboxes to Canada and Europe and imported into the U.S. and further, that imports of toolboxes and other household products from other countries impacted on the subject firm's market share.

On reconsideration, the Department requested that the Rubbermaid, Incorporated provide additional information about foreign toolbox production, other foreign production of household products, and information concerning overall sales and production for the Household Products Division.

Additional information provided by the company indicates that production equaling less than 10 percent of the former production of toolboxes at Cortland was transferred to another country for three months then transferred back to another domestic facility of the company. The investigation also revealed that the subject firm is not importing like or directly competitive articles into the U.S. from recently acquired facilities in Europe. Further, the investigation revealed that the sales by Rubbermaid's

Household Products Division is relatively unchanged.

### Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Rubbermaid-Cortland, Incorporated, Cortland, New York.

Signed at Washington, DC, this 21st day of October 1998.

**Grant D. Beale,**

*Acting Director, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-34,398, TA-W-34,398A]

#### Semitool, Inc.; Kalispell, Montana and Maine Service Center, South Portland, Maine; Amended Certification Regarding Eligibility To Apply for Working Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Working Adjustment Assistance on May 28, 1998, applicable to all workers of Semitool, Incorporated located in Kalispell, Montana. The notice was published in the **Federal Register** on June 22, 1998 (63 FR 33958).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. New information received by the company shows that worker separations occurred at the Maine Service Center of Semitool, Incorporated located in South Portland, Maine. Workers at the South Portland, Maine location provide administrative and customer support services for Semitool's wafer processing equipment production facilities including Kalispell, Montana.

The intent of the Department's certification is to include all workers of Semitool, Incorporated who were adversely affected by increased imports. Accordingly, the Department is amending certification to cover the workers of Semitool, Incorporated, Maine Service Center, South Portland, Maine.

The amended notice applicable to TA-W-34,398 is hereby issued as follows:

All workers of Semitool, Incorporated, Kalispell, Montana (TA-W-34,398), and the

Maine Service Center, South Portland, Maine (TA-W-34,398A) who became totally or partially separated from employment on or after March 14, 1997 through May 28, 2000 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 20th day of October, 1998.

**Grant D. Beale,**

*Acting Director, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-34,116, TA-W-34,116A]

#### Tonkawa Gas Processing Woodward, Oklahoma and Delhi Gas Pipeline Corp., Dallas, Texas; Notice of Negative Determination on Reconsideration on Remand

The United States Court of International Trade (USCIT) granted the Secretary of Labor's motion for a voluntary remand for further investigation in *Former Employees of Tonkawa Gas Processing and Delhi Pipeline Corp. v. Secretary of Labor*, No. 98-04-00889.

The Department's initial denial for the workers of Tonkawa Gas Processing, Woodward, Oklahoma and Delhi Gas Pipeline Corporation, Dallas, Texas issued on March 16, 1998 and published in the **Federal Register** on April 3, 1998 (63 F.R. 16,574), was based on the fact that criterion (3) of the group eligibility requirements of section 222 of the Trade Act of 1974, as amended, was not met.

The petitioners request for reconsideration resulted in a Dismissal of Application for Reconsideration which was issued on April 7, 1998 and published in the **Federal Register** on April 22, 1998 (63 FR 19,756). The Department's review of the application for reconsideration found no new substantial information which would bear importantly on the Department's determination.

On remand, the Department contacted company officials, both from the parent company and the subject facility, to obtain (1) information on the business of Delhi Gas Pipeline and its relationship with Tonkawa Gas processing; (2) information on the business of Tonkawa Gas Processing and the Woodward, Oklahoma facility; and (3) additional information on production and employment at the subject facility.

Tonkawa Gas Processing is a wholly-owned subsidiary of the Delhi Group